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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,926	02/13/2001	Douglas R. Foster	41992-00405	1667

7590

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EXAMINER

PHAM, HUNG Q

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/782,926

Applicant(s)

FOSTER ET AL.

Examiner

HUNG Q PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 & 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election without traverse of group I (claims 1-9) in Paper No. 10 is acknowledged.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. **Claims 1-4, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land et al. [USP 6,505,246 B1].**

Regarding to claim 1, Land teaches a system for presenting performance and system management data on a computer monitor. As shown in FIG. 1, the Data Server 18 collects and stores performance data from one or more computer systems 12 in the network 10 in a relational database. As a relational database, the Data Server 18 is equipped with one or more data retrieval engines, such as those using conventional structured query language (SQL) statements. Data is stored in the Data Server 18 and retrieved therefrom by one or more application programs, including the Clients 22 (Col. 3, line 64-Col. 4, lines 23). As shown in FIG. 2, Client 22 acts as an interface between data server 18, input devices 200, and display device 202. Each client 22 can have one or more model 204, workplace object 206, view 208, and controller 210 for display of data from data server 18 on display device 202 (Col. 4, lines 51-67). The technique as disclosed by Land indicates the server 18 as *at least one repository server associated with at least one data source and enabled for accessing data items within said at least one data source using SQL as access methods native to said at least one data source*, and model 204, workplace object 206, view 208, controller 210 as *at least one client tool enabled for displaying the data items within said at least one data source on a user terminal connectable with said computer implemented collaboration system*. As shown in FIG. 3, client 22 facilitates the object request broker as a medium for communicating with data server 18 to obtain data, distribute objects, etc. from data server 18 (Col. 5, lines 16-24) as *at least*

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*one data channel server providing an interface between said at least one repository server and said at least one client tool.* Land does not explicitly teaches *at least one extended property associated with each data item within said at least one data source, said at least one extended property being maintained by said at least one data channel server.* However, Land further discloses that data server 18 provides object-based services 306 to access, report, and otherwise manipulate the data requested by client 22. These services 306 are comprised of query service 308, reporting service 310, status service 312, authorization service 314, and other services 316, which include a presentation service that provides access to the information base 318 containing presentation-related information. The presentation service maintains presentation information at a userid level, while still providing the capability for users to share presentation (view 208) data. Examples of the presentation data maintained by this service include contexts, workspaces, and presentation properties, e.g., background color associated with a chart, images used as tree view nodes, and fonts associated with object labels (Col. 5, line 25-Col. 6, line 17) *as at least one extended property associated with each data item within said at least one data source, said at least one extended property being maintained by said at least one data channel server.* Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Land system by including at least one extended property associated with each data item in order to customize the view to present the data selected in a manner most suitable to the user.

Regarding to claim 2, Land teaches all the claimed subject matters as discussed in claim 1, Land further discloses *at least one extended property comprises one of a visualization property and a control property for use in displaying the data items with said at least one client tool* (Col. 5, line 25-Col. 6, line 17).

Regarding to claim 3, Land teaches all the claimed subject matters as discussed in claim 1, Land further discloses *a plurality of client tools enabled for displaying the data items within said at least one data source* (FIGS. 5-6, Cols. 6-7).

Regarding to claim 4, Land teaches all the claimed subject matters as discussed in claim 3, Land further discloses *client tools include a map viewer, a list viewer, and an X-Y data plotter* (FIGS. 5-6, Cols. 6-7).

Regarding to claim 7, Land teaches all the claimed subject matters as discussed in claim 1, Land further discloses *a conference manager client tool enabled for managing communication between multiple user terminals connectable with said computer implemented collaboration system* (Col. 3, line 64-Col. 4, line 2).

Regarding to claim 9, Land teaches all the claimed subject matters as discussed in claim 1, Land further discloses: *said at least one repository server, said at least one client tool, and said at least one data channel server are implemented within a CORBA framework* (FIG. 3, Col. 5, line 16-Col. 6, line 23).

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land et al. [USP 6,505,246 B1] in view of Goldberg et al. [USP 6,430,556 B1].

Regarding to claim 5, Land teaches all the claimed subject matters as discussed in claim 1, but fails to disclose *a query viewing client tool enabled for use in constructing queries for selecting data from said at least one data source meeting particular criteria; a library server providing an interface between said query viewing client application and said at least one repository server*. Goldberg teaches a system for accessing databases with query objects, Goldberg further discloses *a query viewing client tool enabled for use in constructing queries for selecting data from said at least one data source meeting particular criteria; a library server providing an interface between said query viewing client application and said at least one repository server* (Goldberg, FIGS. 9-12, and 14, Col. 11-13). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Land system by including a query viewing client tool and a library server in order to provide a visual integrated development environment for generating, installing, and testing of query objects.

Regarding to claim 6, Land and Goldberg teaches all the claimed subject matters as discussed in claim 5, Goldberg further discloses *query viewing client tool is enabled for use in constructing at least one of a standing query and a static query* (Goldberg, FIG. 10).

5. Claim 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Land et al. [USP 6,505,246 B1] in view of Driemeyer et al [USP 6,496,190 B1].

Regarding to claim 8, Land teaches all the claimed subject matters as discussed in claim 1, but fails to disclose *at least one extended property is maintained in said at least one data channel server in a directed a-cyclic graphical form*. Driemeyer teaches a computer graphics system and further discloses *at least one extended property is maintained in said at least one data channel server in a directed a-cyclic graphical form* (Driemeyer, Col. 3, line 66-Col. 5, line 11). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Land system by using directed a-cyclic graphic for maintaining extended properties such as color, text in order to render an image.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Pham whose telephone number is 703-605 4242. The examiner can normally be reached on Monday-Friday, 7:00 Am - 3:30 Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VU, KIM YEN can be reached on 703-305 4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746 7239 for regular communications and 703-746 7238 for After Final communications. Any



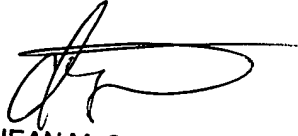
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inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the receptionist whose telephone number is 703-305 3900.

Examiner: Hung Pham  
April 21, 2003



JEAN M. CORRIELUS  
PRIMARY EXAMINER